WP(C) 5265/2006

BEFORE

THE HON’BLE MR JUSTICE HRISHIKESH ROY

Heard Mr R Sarma, learned Counsel for the petitioner. Also heard Mr M K Mishra, learned Standing Counsel for the Education Department.

Mr R Sarma, learned counsel for the petitioner prays that the name of respondent No. 8 and respondent No. 10 to 18 be struck off as they are not necessary parties.

Prayer is allowed.

This matter pertains to the claim of financial assistance for the petitioner Ghiloni M E School .

It is submitted by the learned counsel for the writ petitioner as well as the learned Standing counsel that the present case is covered by a decision of this Court rendered on 22.5.2007 in WP(C) 4822/2006 in Kanaklata Girls M E School versus State of Assam and others.

Having considered the aforesaid submissions this petition is also disposed of in terms of the direction given by this Court in Kanaklata Girls (Supra). In that case, this Court held that financial assistance to the schools are to be provided primarily on the basis of seniority of the concerned School. Only for sufficient reasons a departure is to be made and Junior Schools are to be considered for such financial aid.

In view of the above, the authorities are also directed to consider the case of the petitioner/school in light of the above Judgment. For this purpose appropriate representation would be made by the petitioner to the Government. On receipt of such representation from the petitioner/school, the Government would consider such representation and pass appropriate orders thereon in terms of Kanaklata Girls (Supra).

With the aforesaid directions this writ petition stands disposed of.